

Amendments to the Claims

Claim 1 (Currently amended): An isolated polynucleotide comprising an APAO encoding polynucleotide linked to a fumonisin esterase encoding polynucleotide, wherein the APAO encoding polynucleotide is selected from the group consisting of:

a) a polynucleotide encoding a polypeptide having deaminase enzyme activity as set forth in SEQ ID NO: 51; and

b) a polynucleotide having at least 95% sequence identity to a polynucleotide set forth in SEQ ID NO: 50,

and further wherein said fumonisin esterase is ESP1

~~e) a polynucleotide that hybridizes under stringent conditions to a polynucleotide set forth in SEQ ID NO: 50, wherein said stringent conditions comprise a last wash in 0.1X SSC and 0.1% sodium dodecyl sulfate at 65°C for 30 minutes.~~

Claim 2 (Original): A recombinant expression cassette comprising a polynucleotide of claim 1 operably linked to a promoter.

Claim 3 (Original): The recombinant expression cassette of claim 2 wherein the polynucleotide is operably linked to a plant signal sequence.

Claim 4 (Original): A vector comprising the recombinant expression cassette of claim 2.

Claim 5 (Original): A host cell comprising the recombinant expression cassette of claim 2.

Claim 6 (Original): The host cell of claim 5 wherein the cell is a plant cell.

Claim 7 (Original): The host cell of claim 6 wherein the plant cell is selected from the group consisting of maize, sorghum, wheat, tomato, soybean, alfalfa, sunflower, canola, cotton, barley, millet, and rice.

Claim 8 (Previously presented): A plant comprising the polynucleotide of claim 1.

Claim 9 (Previously presented): A seed from the plant of claim 8, wherein the seed comprises the isolated polynucleotide.

Claim 10 (Cancelled)

Claim 11 (Cancelled)

Claim 12 (Currently amended): The polynucleotide of claim ~~44~~ 1 wherein the polynucleotide is set forth in SEQ ID NO:24.

Claims 13-33 (Cancelled)

Claim 34 (Currently amended): ~~The A host cell of claim 33 comprising an wherein the~~ APAO encoding polynucleotide linked to a fumonisin esterase encoding polynucleotide, wherein the APAO encoding comprises a polynucleotide is selected from the group consisting of:

a) a polynucleotide encoding a polypeptide having deaminase enzyme activity set forth in SEQ ID NO: 51; and

b) a polynucleotide having at least 95% sequence identity to a polynucleotide set forth in SEQ ID NO: 50:

and further wherein the fumonisin esterase is ESP1

~~e) a polynucleotide that hybridizes under stringent conditions to a polynucleotide set forth in SEQ ID NO: 50, wherein said stringent conditions comprise a last wash in 0.1X SSC and 0.1% sodium dodecyl sulfate at 65°C for 30 minutes.~~

Claim 35 (Cancelled)

Claim 36 (Currently amended): The host cell of claim 34 ~~33~~ wherein the cell is a plant cell.

Claim 37 (Original): The host cell of claim 36 wherein the cell is selected from maize, sorghum, wheat, tomato, soybean, alfalfa, sunflower, canola, cotton, and rice.

Claim 38 (Original): The host cell of claim 37 wherein the plant cell is regenerated into a plant.

Claims 39-41 (Cancelled)